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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,305	08/31/2001	Aalbert Stek	NL000496	2152

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
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BRIARCLIFF MANOR, NY 10510

EXAMINER

VUONG, BACH Q

ART UNIT PAPER NUMBER

2653

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/944,305	<b>Applicant(s)</b> STEK ET AL.	
	<b>Examiner</b> Bach Q Vuong	<b>Art Unit</b> 2653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/31/01 &amp; 2/26/02</u> . | 6) <input type="checkbox"/> Other: ____.  |

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Tanoue et al. (US 6,781,939).

Tanoue et al., according to Figs. 1-17, shows an information carrier comprising all features of the claimed invention as interpreted below:

Regarding claim 1, see Figs. 1-4 which show an information carrier comprising an information area for recording data encoded in marks, said information area comprising tracks provided with a servopattern comprising headers alternating with track portions, which headers comprise a synchronization field (see VFO1, VFO2) comprising marks representing a predetermined synchronization pattern for synchronizing a clock frequency in a device the information carrier is used in, a first identification field (see PID1) comprising marks representing position information, and subsequently second identification field (see PID2) comprising marks representing position information, characterized in that the headers (see HF in Fig. 4) in at least a group of headers also comprise an information field located in between the first identification field and the second identification field, said information field comprising marks representing information ( see PID1 in Fig. 4 for details).

Regarding claim 2, see Fig. 4 which shows an information carrier wherein the information field comprises marks representing information describing properties of the information carrier (see Sector information).

Regarding claim 3, see Figs. 1-4 which show an information carrier wherein the headers (see HF in Fig. 4) in a second group of headers also comprise a second synchronization field (see VFO2) located in between the first identification field and the second identification field, the second synchronization field comprising marks (see PID2) representing a predetermined synchronization pattern for synchronizing a clock frequency in a device the information carrier is used in.

Regarding claim 4, see Figs. 1-4 which show an information carrier comprising a lead-in zone (see lead-in area) comprising marks representing control information, a data zone (see data area) intended for recording user data, and a lead-out zone (see lead-out area) comprising marks representing control information wherein the headers (see HF in Fig. 4) in data zone comprise a second synchronization field (see VFO2) in between the first identification field and the second identification field, the second synchronization field comprising marks representing a predetermined synchronization pattern for synchronizing a clock frequency in a device the information carrier is used in.

Regarding claims 5 and 6, see Fig. 4 which show an information carrier wherein the information is distributed over a sub-group of headers and over a predetermined numbers of consecutive headers (see HF and HF1-HF4).

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Regarding claim 7, see Fig. 4 which shows an information carrier wherein the information is coded by means of error correction code (see ECC) prior to distributing the information over the sub-group of headers.

Regarding claim 8, see Fig. 1-3 which show an information carrier wherein the recording area comprises recorded data (see data area).

Regarding claim 9, see Fig. 4 which shows an information carrier is of a read-only type.

Regarding claim 10, see Figs. 1-8 and 16-17 which show a reading device for reading data from an information carrier (see optical disk 1) comprising an information area for recording data encoded in marks, the information area (see Fig. 4) comprising tracks provided with a servopattern comprising headers alternating with track portions, which headers (see HF1-HF4) comprise a synchronization field (see VFO1 or VFO2) comprising marks representing a predetermined synchronization pattern for synchronizing a clock frequency in a device the information carrier is used in, a first identification field (see VFO1) comprising marks representing marks representing position information, which device comprises reading means for retrieving data from the information carrier, wherein the reading means (see data reproduction circuit 16 in Fig. 17) are arranged for retrieving information describing properties of the information carrier from an information field located in between the first identification field and the second identification field (see VFO2) in the headers, and in that the reading means are set in dependence on the retrieved information describing properties of the information carrier.

Regarding claim 11, see Figs. 1-8 and 16-17 which show a recording device for recording data on an information carrier (see optical disk 1) comprising an information area for

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recording data encoded in marks, the information area (see Fig. 4) comprising tracks provided with a servopattern comprising headers alternating with track portions, which headers (see HF1-HF4) comprise a synchronization field (see VFO1 or VFO2) comprising marks representing a predetermined synchronization pattern for synchronizing a clock frequency in a device the information carrier is used in, a first identification field (see VFO1) comprising marks representing marks representing position information, and subsequently a second identification field (see VFO2) comprising marks representing position information, which device comprises reading means (see data reproduction circuit 16 in Fig. 17) for retrieving data from the information carrier, and the recording means (see modulation circuit 14) for recording data on the information carrier, herein the reading means are arranged for retrieving information describing properties of the information carrier from an information field located in between the first identification field and the second identification field in the headers, and in that the recording means are set in dependence on the retrieved information describing properties of the information carrier.

### *Cited References*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited references relate to recording/reproducing device for an information recording medium having servo headers with synchronization field, identification field and information field.

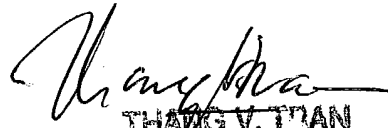
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bach Q. Vuong whose telephone number is (703) 305-7355. The examiner can normally be reached on Monday-Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on (703) 305-6137. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BV  
September 5, 2004

  
THANG V. TRAN  
PRIMARY EXAMINER